

REMARKS

Claims 1-25 are pending in this application.

Claims 1 and 15 have been amended by the present amendment.

Claims 18-25 have been withdrawn from consideration pursuant to 37 C.F.R. 1.142(b) as being drawn to a non-elected invention, and have been canceled without prejudice or disclaimer by the present Amendment.

Claims 26-27 have been added by the present amendment. Amended claims 1, 15 and new claims 26-27 do not introduce any new subject matter.

CLAIM OBJECTION

Claim 1 is objected to for the reason set forth on page 2 of the Office Action. In response, Applicants have amended claim 1 to correct the lack of antecedent basis. Accordingly, the withdrawal of the claim objection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103:

Reconsideration is respectfully requested of the rejections of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over the applicants admitted prior art (AAPA) of this application.

Claim 1 recites that the gate conductor, the data conductor, and the pixel electrode are formed using a single etchant.

Applicants respectfully submit that AAPA does not disclose or suggest the above feature.

Examiner states that it would have been obvious to one of skilled in semiconductor art to form the gate conductor, the data conductor, and the pixel

electrode by etching using a single etchant or one etchant to reduce processing steps and processing material to thereby reduce production cost.

Applicants respectfully disagree. Applicants respectfully submit that it would not have been obvious to one of skilled in semiconductor art to form the gate conductor, the data conductor, and the pixel electrode by etching using a single etchant.

When the gate conductor and the data conductor include a multiple layer structure in which different metals are formed, it is very difficult to get a good vertical profile and to find a single etchant that can etch each metal.

However, in the claimed embodiment, an optimized etchant is developed so that the gate conductor, the data conductor, and the pixel electrode can be etched by a single etchant.

This aspect of the invention is not obvious to one of ordinary skilled in the art. If such a step is well known, applicants respectfully request the examiner provides evidence. See M.P.E.P. § 2144.03 (stating that Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known). Assertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. *In re Ahlert*, 424 F.2d at 1091, 165 USPQ at 420-21.

As such, Applicants submit that the Examiner erroneously concluded that it would have been obvious to one skilled in the semiconductor art to use a single etchant, since it is difficult to get a good vertical profile and to find a single etchant than can etch metal. Accordingly, Applicants request documentary evidence of the obviousness of using a single etchant to etch the gate conductor, data conductor and pixel electrode as claimed.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 103(a) and that claim 1 is in condition for allowance.

ALLOWABLE SUBJECT MATTER

Applicants gratefully acknowledge the Examiner's indication that claims 2-14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and reserves the right to rewrite claim 2-14 in independent form in a subsequent response or communication.

Applicants gratefully acknowledge the Examiner's indication of allowable subject matter in claims 15-17.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicants' Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael F. Morano", is written over a horizontal line.

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